

Message Text

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ACTION EB-07

INFO OCT-01 EA-07 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 /024 W

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 7059

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E. O. 11652: NA

TAGS: EAIR, RP

SUBJECT: CIVAIR: PAL SEIZURE CASE

REF: STATE 203183

1. PER INSTRUCTION REFTEL, ECON/COMMERCIAL COUNSELOR MET WITH PAL GW IGOA TO DISCUSS DC-10 SEIZURE CASE. DEPT AND CAB WILL APPRECIATE THAT AT TIMES IGOA WAS A TRIFLE SKITTISH DURING THIS ENCOUNTER. HOWEVER, HE LISTENED IN A NOT UNFRIENDLY MANNER, AND HE AGREED READILY TO RECOM-MENT APPROACH PARA 2 REFTEL TO PAL CHAIRMAN TODA.

2. IGOA SAID THAT HE WAS SURPRISED AND STUNNED, FIRST BY THE COURT'S DECISION TO RENDER A SUMMARY JUDGMENT RATHER THAN TO HEAR THE CASE ON MERIT, AND SECOND BY THE SEVERITY OF THE PENALTY. HE SAID THAT PAL PLANNED TO APPEAL IN ANY EVENT, BUT THAT HE WOULD URGE TODA, ONCE THE APPEAL WAS FILED, TO HAVE PAL ATTORNEYS EXPLORE POSSIBILITIES FOR SETTLEMENT OF THE CASE AND THEN DECIDE WHETHER THE OFFERED SETTLEMENT MADE IT SENSIBLE TO DROP THE APPEAL. IGOA STRESSED, HOWEVER, THAT IT WOULD BE UP TO TODA TO DECIDE.

IGOA SAID HE WOULD LET EMBASSY KNOW THE DECISION AS SOON AS TODA RETURNED TO MANILA (REPORTEDLY LIMITED OFFICIAL USE

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NOW IN NEW YORK).

3. COMMENT: ALTHOUGH IGOA SAID INITIALLY THAT HE
WOULD PURSUE AN APPEAL AS A MATTER OF PRINCIPLE,
(HE, AS MUCH AS SAID HE TOOK THE SEIZURE
AS
A PERSONAL AFFRONT) HE WAS OBVIOUSLY RELEIVED TO HEAR
OF THE POSSIBILITY OF A SETTLEMENT. HE WAS NOT VISIBLY
SURE, HOWEVER, THAT TODA WOULD GO ALONG, AND THE
POSSIBILITY EXISTS THAT OUT OF A STRONG MIX OF PIQUE
AND PERVERSITY TODA WOULD DECIDE TO GO TO THE MAT. WE
WILL AWAIT IGOA'S REPLY AND REPORT PAL'S DECISION AS
SOON AS POSSIBLE.
SULLIVAN

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